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CIVILIAN COMPLAINT REVIEW BOARD

THABO SEFOLOSHA AND ANTIKJ PERO

CCRB Case # 201502847

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Interview of:

POLICE OFFICER MICHAEL O'SULLIVAN

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Date: May 28, 2015

Appearances:

Shevani Patel, Investigator

Rebecca Ho, Investigator

Michael O'Sullivan, Police Officer, witness

Louis Albert, Legal rep. for PBA

Transcribed by: Geneva Worldwide, Inc.

1 PO MICHAEL O'SULLIVAN 5/28/2015
2 10th Avenue you couldn't come back onto 17th Street.
3 It was after 4:00 and the clubs is letting out so
4 everyone is getting pushed off. Everything was
5 orderly, everybody was going except for the subject
6 Sefolosha. He refused to leave, got mouthy, went back
7 and forth with officers. We were, you know, we were
8 bouncing all over the place, you know, moving people
9 off, moving people off. A few minutes later down on
10 10h Avenue and they start --

11 MR. ALBERT: You're still on 17th Street or
12 you're on 10th now?

13 OFFICER O'SULLIVAN: That was about, we're on
14 17th Street, we're on the corner. We were standing in
15 the street on the corner. We come out onto 10th
16 Avenue kind of like in front of 118.

17 MS. PATEL: Mm-hmm.

18 OFFICER O'SULLIVAN: And they go to arrest
19 Sefolosha, so you know, he's totally big, I think four
20 of us grab him. He resists and he's got his arms
21 straight, he's got a huge wing span, he's got his arms
22 straight out.

23 MR. ALBERT: How big?

24 OFFICER O'SULLIVAN: 6 foot 7, 6 foot 8, big
25 dude. Pulled his arms straight out, he's screaming,

1 PO MICHAEL O'SULLIVAN 5/28/2015
2 he's yelling. So we're trying to get him in handcuffs,
3 we're telling him to put his hands behind your back
4 and we go down to the ground. We get his hands on his
5 back to cuff him, pick him up, put him in the car.

6 MS. PATEL: Okay. Alright, so just going
7 back to get some follow up information you mentioned.
8 So you guys responded at 4:30, was that a call made by
9 the cabaret unit or did you respond to the housing run
10 --

11 OFFICER O'SULLIVAN: That was, that was the
12 housing unit.

13 MS. PATEL: Okay.

14 OFFICER O'SULLIVAN: Requesting additional
15 for, to the stabbing, they were there they called that.

16 MS. PATEL: When you guys responded do you
17 recall how many officers from your command had arrived
18 with you at the scene?

19 OFFICER O'SULLIVAN: No, pretty much
20 everyone

21 MS. PATEL: Okay are you able to estimate
22 that number?

23 OFFICER O'SULLIVAN: No, I'm not sure.

24 MS. PATEL: And do you recall specifically
25 what other officers were present besides you and your

1 PO MICHAEL O'SULLIVAN 5/28/2015

2 officers?

3 OFFICER O'SULLIVAN: I don't recall.

4 MS. PATEL: Alright, you said earlier that
5 they go to arrest him, is he still, is he still
6 standing in that same spot?

7 OFFICER O'SULLIVAN: No, it moved around
8 onto 10th Avenue, it's a place, the corner, like 17th
9 street and 10th Avenue. The club's like here and this
10 is the pizzeria that comes up from the corner. We
11 were around here when this first started and this is
12 like 118 10th, right on the corner.

13 MS. PATEL: Okay and what were you doing at
14 the time when you first noticed officers first trying
15 to handcuff him, I guess where were you exactly?

16 OFFICER O'SULLIVAN: I was on 10th Avenue
17 and just kind of, you know, watching what was going on,
18 who was where; and then they went to grab him over
19 here and they came back this way towards me. So three
20 or four of us grabbed him.

21 MS. PATEL: Okay.

22 OFFICER O'SULLIVAN: And went down into the
23 street and he was standing, arms out and yelling and -
24 -

25 MS. PATEL: Do you remember where on his

1 PO MICHAEL O'SULLIVAN 5/28/2015
2 body he was grabbed? Or where officers had any control
3 of him?
4 OFFICER O'SULLIVAN: They tried to grab his
5 arms.
6 MS. PATEL: Arms, okay. You mentioned that
7 his arms were straight out. Was he holding them stiff?
8 OFFICER O'SULLIVAN: Yes.
9 MS. PATEL: You mentioned he was screaming
10 and yelling do you remember exact statements that he
11 made?
12 OFFICER O'SULLIVAN: No, like I just, I
13 remember the yelling, I just don't know what it was.
14 MS. PATEL: And do you remember what other
15 officers aside from you were attempting to handcuff
16 him?
17 OFFICER O'SULLIVAN: It was me, Officer
18 Caster, Giacona, and it was just kind of like got in
19 there with [unintelligible] [00:08:51]
20 MS. PATEL: And aside from holding his arms
21 through that was he doing anything else to, was he
22 offering any other sort of resistance?
23 OFFICER O'SULLIVAN: He was like stepping
24 off, he was walking back and forth.
25 MS. PATEL: Okay.

1 PO MICHAEL O'SULLIVAN 5/28/2015

2 OFFICER O'SULLIVAN: Kind of just.

3 MS. PATEL: And how was he brought to the

4 ground?

5 OFFICER O'SULLIVAN: He went down and we

6 kind of went down with him.

7 MS. PATEL: Do you know if he had fallen or

8 if you guys had taken him to the ground?

9 OFFICER O'SULLIVAN: I'm not sure, I don't

10 know.

11 MS. PATEL: Okay and when he landed are you

12 guys on the street or on the sidewalk?

13 OFFICER O'SULLIVAN: We're in the street now.

14 MS. PATEL: And was his entire body on the

15 street?

16 OFFICER O'SULLIVAN: Yes, he was totally in

17 the street.

18 MS. PATEL: And once on the ground was he

19 offering any kind of resistance?

20 OFFICER O'SULLIVAN: Yes.

21 MS. PATEL: Okay, can you tell us what?

22 OFFICER O'SULLIVAN: Refusing to be

23 handcuffed.

24 MS. PATEL: And where were his arms?

25 OFFICER O'SULLIVAN: I, as I mentioned, I

1 PO MICHAEL O'SULLIVAN 5/28/2015
2 was down by his legs. He was starting to kick a little
3 bit.
4 MS. PATEL: Oka, you mentioned in your memo
5 book entry that another individual had touched your
6 shoulder? When did that happen?
7 OFFICER O'SULLIVAN: When we were grabbing
8 Sefolosha [unintelligible] [00:09:48] --
9 MS. PATEL: Okay, do you remember if that
10 was when you guys were on the ground or were you still
11 standing?
12 OFFICER O'SULLIVAN: Still standing.
13 MS. PATEL: Okay and once you know, do you
14 remember if that individual had actually grabbed you?
15 OFFICER O'SULLIVAN: Yes.
16 MS. PATEL: And where on the, your shoulder?
17 OFFICER O'SULLIVAN: Right shoulder.
18 MS. PATEL: Right shoulder.
19 OFFICER O'SULLIVAN: Over the top of my
20 shoulder.
21 MS. PATEL: And did you see what happened
22 with him?
23 OFFICER O'SULLIVAN: I pushed him.
24 MS. PATEL: And where did you push him, like
25 where on his body did you come in contact?

1 PO MICHAEL O'SULLIVAN 5/28/2015

2 OFFICER O'SULLIVAN: I believe it was his
3 chest, I, I believe it was one hand and starting
4 pushing me so we put cuffs on him.

5 MS. PATEL: Okay. Mr. Antikj?

6 OFFICER O'SULLIVAN: Mm-hmm.

7 MS. PATEL: Was he also arrested?

8 OFFICER O'SULLIVAN: Yes.

9 MS. PATEL: Did you participate in his
10 apprehension at all?

11 OFFICER O'SULLIVAN: What do you mean?

12 MS. PATEL: Did you handcuff him?

13 OFFICER O'SULLIVAN: I handcuffed him yes.

14 MS. PATEL: If you could just clarify your
15 reason for pushing him at that point?

16 OFFICER O'SULLIVAN: He grabbed me after he
17 tried to effect the arrest of Sefolosha.

18 MS. PATEL: And did you handcuff him
19 immediately?

20 OFFICER O'SULLIVAN: No, we finished
21 fighting with Sefolosha, got him in handcuffs and he
22 was on, he was sitting on the sidewalk. He didn't try
23 to get back up.

24 MS. PATEL: Okay.

25 OFFICER O'SULLIVAN: We walked over and

1 PO MICHAEL O'SULLIVAN 5/28/2015

2 handcuffed him, yeah.

3 MS. PATEL: When you pushed him had he
4 fallen or did he --

5 OFFICER O'SULLIVAN: Yeah, I believe he fell,
6 I just, once I pushed him away, I went back to
7 Sefolosha.

8 MR. ALBERT: Do I have the wrong sheet
9 because I don't see any allegations of force when
10 you're talking about this guy in Antikj Pero?

11 MS. PATEL: Yeah.

12 MR. ALBERT: I don't see any allegations of
13 force against him.

14 MS. PATEL: Right there.

15 MR. ALBERT: No, stop.

16 MS. PATEL: Okay, sure.

17 MR. ALBERT: No, I'm just saying, just look
18 at my sheet.

19 MS. PATEL: Okay.

20 MR. ALBERT: So I'm asking a question. Is
21 there an allegation of force?

22 MS. PATEL: Against him?

23 MR. ALBERT: Yeah.

24 MS. PATEL: Yes.

25 MR. ALBERT: Okay, well I need a sheet then.

CERTIFICATE OF ACCURACY

I, Julia Zappi, certify that the foregoing transcript of CCRB Case #20152847 for the Interview of PO Michael Sullivan was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By:



Date: November 5, 2015

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